

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

WAYAN GARVEY, *on behalf of himself and all  
others similarly situated,*

Plaintiff,

v.

KELLER WILLIAMS REALTY, INC. and  
BRITNEY GAITAN,

Defendants.

Case No.: 2:23-cv-00920-APG-DJA

**STIPULATION AND ORDER TO  
EXTEND DEADLINE FOR PLAINTIFF  
TO RESPOND TO DEFENDANTS'  
RESPECTIVE MOTIONS TO DISMISS  
(ECF Nos. 28 and 32)**

**(First Request)**

**STIPULATION**

Plaintiff WAYAN GARVEY ("Plaintiff") by and through his counsel Craig K. Perry, Esq. of CRAIG K. PERRY & ASSOCIATES, Chris R. Miltenberger, Esq. of THE LAW OFFICE OF CHRIS R. MILTENBERGER, PLLC, and Eric H. Weitz, Esq. and Max S. Morgan, Esq. of THE WEITZ FIRM LLC, Defendant KELLER WILLIAMS REALTY, INC., by and through its counsel Michael Ayers, Esq., Clark Vellis, Esq. and Lauren Calvert, Esq., of QUINTAIROS, PRIETO, WOOD & BOYER, P.A. ("Defendant KELLER WILLIAMS"), and Defendant BRITNEY GAITAN ("Defendant GAITAN"), by and through her counsel Patrick J. Reilly, Esq. of BROWNSTEIN HYATT FARBER SCHRECK, LLP, hereby stipulate as follows:

1. On June 12, 2023, Plaintiff filed the Complaint – Class Action (the "Complaint") in the United States District Court, District of Nevada (ECF No. 1).

2. On September 14, 2023, Plaintiff filed a First Amended Complaint (ECF No. 25), with a responsive pleading due date for all parties on September 28, 2023.

3. On September 19, 2023, Defendant GAITAN filed a Motion to Dismiss Plaintiff's Amended Complaint (ECF No. 28).

STIPULATION TO EXTEND DEADLINE FOR PLAINTIFF TO RESPOND TO MOTIONS TO DISMISS - 1

4. On October 5, 2013, KELLER WILLIAMS filed a Motion to Dismiss the Amended Complaint (ECF No. 32).

5. The parties agreed on a combined briefing schedule where Plaintiff's opposition briefs to the Motion to Dismiss Amended Complaint (ECF No. 28) and KELLER WILLIAMS' Motion to Dismiss (ECF No. 32) be filed on October 23, 2023). The Court granted that motion/stipulation (ECF No. 30) on September 29, 2023.

6. Plaintiff now requests an additional 14 days to file his responses. This request is necessitated by the scheduling needs of Plaintiff's counsel. Defendants agree to this request.

7. Accordingly, Plaintiff and Defendants hereby agree to the following briefing schedule:

a. Plaintiff WAYAN GARVEY shall respond to Defendant GAITAN's Motion to Dismiss Plaintiff's Amended Complaint (ECF No. 28) on or before November 6, 2023; and

B. Plaintiff WAYAN GARVEY shall respond to Defendant KELLER WILLIAMS' Motion to Dismiss the First Amended Complaint (ECF No. 32) on or before November 6, 2023.

8. This is the first request for extension of time as to the October 23 response deadline and is being made in good faith and not for the purpose of undue delay.

**IT IS SO STIPULATED.**

DATED this 19<sup>th</sup> day of October, 2023.

DATED this 19<sup>th</sup> day of October, 2023.

**CRAIG K. PERRY & ASSOCIATES**

**QUINTAIROS, PRIETO, WOOD & BOYER, P.A.**

By: /s/ Craig K. Perry

By: /s/ Michael Ayers

Craig K. Perry, Esq.  
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*Attorneys for Defendant*  
**KELLER WILLIAMS REALTY, INC.**

DATED this 19<sup>th</sup> day of October, 2023.

**BROWNSTEIN HYATT FARBER  
SCHRECK, LLP**

By: /s/ Patrick J. Reilly  
Patrick J. Reilly  
Nevada Bar No. 6103

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Tele: 702-464-7033  
*Attorneys for Defendant*  
**BRITNEY GAITAN**

**ORDER**

The foregoing stipulation is hereby approved, with the following deadlines:

1. Plaintiff WAYAN GARVEY shall respond to Defendant GAITAN's Motion to Dismiss Plaintiff's Amended Complaint (ECF No. 28) on or before November 6, 2023; and
2. Plaintiff WAYAN GARVEY shall respond to Defendant KELLER WILLIAMS' Motion to Dismiss the First Amended Complaint (ECF No. 32) on or before November 6, 2023.

GOOD CAUSE APPEARING THEREFORE, it is so ORDERED

AND ADJUDGED. DATED: October 20, 2023

  
UNITED STATES DISTRICT JUDGE